to the parties if Tahsildars or, failing them, Deputy Tahsildars could be invested with power to try and dispose of them.

Reply.—This is impracticable and opposed to the observation made on Saturday that the Tahsildars are overworked officers. Though small cause suits are tried summarily and no appeal is allowed in them, still a knowledge of law and procedure is indispensable for their satisfactory disposal, and, in the few instances in which revenue officers have been invested with the power now proposed, the system has been found not to work well. Government think the suggestion is retrograde and cannot be adopted.

83. Desirability of issuing processes from courts only to such number of witnesses as could be examined on a single day.

Mr. Varkey Oothuppu (*Ettumanur*) requested that a rule might be passsed to this effect.

Reply.—There are circulars on the subject and I believe they are being enforced as far as possible. But it is undesirable and impracticable to place any such limit.

84. Empowering monegars to attest affidavits.

Mr. G. Sankaranarayana Iyer and Mr. Sattanathan Karayalan (*Shencottah*) prayed for monegars or provertikars being authorized to attest affidavits, as the present rule empowering civil and criminal courts to do the same was a source of inconvenience to the parties.

Reply.—The law is contained in section 192 of the Civil Procedure Code. The number of cases in which matters will have to be proved through affidavits is limited and there is a further provision in section 415 of the Criminal Procedure Code as to the filing of affidavits before the High Court. The High Court have the necessary powers in these matters and they will be addressed in view to consider how far the rules can be relaxed.

85. Desirability of laying down rules for regulating the valuation of improvements on properties in connection with civil suits.

Mr. N. Padmanabha Pillai and Mr. K. KochuThomman (*Chengannur*) prayed for some uniform procedure being laid down in this respect.

Reply.—Section 377 of the Civil Procedure Code provides for the

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appointment of commissioners for this purpose and they are required to hold enquiry, take evidence and submit reports. No definite rules exist as to the valuation of properties or improvements thereon. In British India, the items and principles of valuation are laid down in detail by Madras Act I of 1900. The High Court will be requested to consider whether the adoption of those provisions in this State is necessary and feasible.

86. Entrusting commission orders of civil courts for valuation of improvements to respectable citizens of the locality for execution.

Mr. N. Narayanan Karthavu (Shertallay) remarked that the present practice was to entrust the clerks of courts with the execution of these orders and this was very undesirable.

Reply.—Stringent and detailed rules on the subject have been laid down by the High Court. It would be well not to entrust court employés with the execution of any commission orders whatever. In British India, the rules exclude the employment of court officials for this purpose. The desirability of appointing others than court employes for commission work will be suggested to the High Court.

87. Desirability of doing away with the production of encumbrance certificates from Sub-registrars' offices and affidavits for execution of decrees.

Mr. K. Padmanabhan Tampi (Taluk Association, Kalkulam) said that encumbrance certificates had to be produced in civil courts, but no proper arrangements had been made in Sub-registrars' offices for expeditiously granting them, though fees were charged for the purpose. In some cases, the certificate only recorded that the party said the property was not encumbered and failed to certify that the fact was so. In such instances, the courts attached no value to them. He prayed that the production of these certificates might be dispensed with.

Mr. Narayanan Madhavan Karthavu (Shertallay) said that the concession granted recently on the representation made at the last session of the Assembly did not fully relieve all practical difficulties. The certificates were still required to be produced in the case of properties worth above Rs. 250 and this continued to be felt by the parties as an inconvenience. He requested that encumbrance certificates might be dispensed with in all cases.

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